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FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4458 OF 2005.
IN
CRIMINAL APPEAL NO. 657 OF 2005.

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Mr. A.P. Mundargi i/b P.P. Runwal for the applicant/appellant.

Mr. A.M. Shringarpure, APP, for the respondent - State.

CORAM: S.S. PARKAR &
ANOOP V. MOHTA, JJ.

DATED: 16TH AUGUST, 2005.

P.C.:

. This application is made by the original accused No.2 who has been convicted for offence of murder along with accused No.1. He has been convicted on the basis of statement of the daughter of the victim, recorded on 19th January, 2000, though the incident is of 14th December, 1999. The offence was registered on the statement of the deceased recorded on the same day when the incident took place. The incident had taken place in the afternoon. Yet, in her statement which was treated as a dying declaration, the name of the accused was

not given. The accused was shown to be an unknown person in both the dying declaration recorded initially by the Police Officer and thereafter by the SEM. The applicant was on bail during trial. The accused No.1 was granted bail by the order of this Court dated 10th August, 2005. We, therefore, see no reason to reject this application for bail.

. In the result, the application is allowed and the applicant is directed to be released on bail in the sum of Rs.20,000/- with one surety on condition that the applicant shall report to the concerned Police Station once in a month.

[S.S. PARKAR, J.]

[ANOOP V. MOHTA, J.]